

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JUDGMENT FOLLOWING JURY VERDICT

This 7th day of April 2022, the Court having held a jury trial and the jury having rendered a unanimous verdict on April 1, 2022 (*see* D.I. 316), pursuant to Rule 58(b) of the Federal Rules of Civil Procedure, IT IS HEREBY ORDERED that:

1. Judgment is entered in favor of Plaintiff PureWick Corporation (“Plaintiff”) and against Defendant Sage Products, LLC (“Defendant”) with respect to direct infringement, induced infringement, and contributory infringement of claims 1, 5 and 9 of U.S. Patent No. 10,226,376 (“the ’376 patent”) and claims 1 and 6 of U.S. Patent No. 10,390,989 (“the ’989 patent”) and with respect to direct infringement of claims 1 and 2 of U.S. Patent No. 10,376,407 (“the ’407 patent”);
2. Judgment is entered in favor of Plaintiff and against Defendant with respect to willful infringement of the ’376 patent and the ’989 patent;
3. Judgment is entered in favor of Plaintiff and against Defendant as to anticipation of claims 1, 5 and 9 of the ’376 patent and claim 1 of the ’989 patent;
4. Judgment is entered in favor of Plaintiff and against Defendant with respect to obviousness of claims 1, 5 and 9 of the ’376 patent, claims 1 and 6 of the ’989 patent and claims 1 and 2 of the ’407 patent;

5. Judgment is entered in favor of Plaintiff and against Defendant for damages in the amount of \$26,215,545 in lost profits for infringement of the '376 patent and the '989 patent;

6. Judgment is entered in favor of Plaintiff and against Defendant for damages in the amount of \$1,799,193 as a reasonable royalty for infringement of the '407 patent; and

7. Pursuant to Plaintiff's unopposed motion for judgment as a matter of law on prior public use and prior public sale (D.I. 310 at 6-9, D.I. 312 at 2, 5), judgment is entered in favor of Plaintiff and against Defendant as to Defendant's invalidity counterclaims and defenses based on prior public use and prior public sale relating to the claims 1, 5 and 9 of the '376 patent and claims 1 and 6 of the '989 patent.

IT IS FURTHER ORDERED that this Judgment shall have the effect of denying as moot all other motions made by the parties pursuant to Rule 50(a) of the Federal Rules of Civil Procedure.

IT IS STILL FURTHER ORDERED that the deadline for any party to move for costs and attorneys' fees (including under 35 U.S.C. § 285) is extended to within fourteen (14) days after the time for appeal has expired or within fourteen (14) days after issuance of the mandate from the appellate court, and no party shall file any such motion before that time.



The Honorable Maryellen Noreika
United States District Judge